

REMARKS/ARGUMENTS

These Remarks are responsive to the Office Action mailed April 20, 2005 ("Office Action"). Applicants respectfully request reconsideration of the rejections of claims 1-2, 4-7, 9-19 and 21 for at least the following reasons.

STATUS OF THE CLAIMS

Claims 1, 2, 4-7, 9-19 and 21 are currently pending in the present application. Claims 1, 2, 4-7 and 9-13 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hatakeyama in view of Gourlay. Claims 14-19 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hatakeyama and Gourlay in view of Chen. Reconsideration is respectfully requested.

REJECTIONS OF CLAIMS 1, 2, 4-7 and 9-13 UNDER 35 U.S.C. § 103(a)

Claims 1, 2, 4-7 and 9-13 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hatakeyama in view of Gourlay. As admitted in the Office Action, Hatakeyama fails to disclose or suggest at least the claimed features of "the content further comprises a descriptor that enables the at least one node to identify an attribute of the content and the step of launching a request further comprises launching the request with a request payload containing one or more instructions on what to locate in the descriptor." Office Action, p. 3.

To repair this admitted deficiency of Hatakeyama, the Examiner relies on Gourlay. Specifically, the Examiner alleges that the above-quoted claim features are disclosed or suggested by Gourlay, Fig. 3-4 and col. 3, line 50 through col. 4, line 21. Office Action, p.3. Applicants respectfully disagree that the cited portion of Gourlay discloses or suggests the above-quoted claim features.

As an initial matter, Applicants respectfully submit that Gourlay does not disclose or suggest "a descriptor that enables the at least one node to identify an attribute of the

content.” As disclosed in Gourlay, a routing table (Fig. 4) is locally stored in a cache. Fig.3, and col. 3, lines 50-55. The routing table is disclosed as including a URL field 200, an IP/Port field 202, a Metric field 204, a serial number field 206, a billing token field 208, a date stamp field 210 and an additional tag field 212. Col. 3, line 65 - col. 4, line 17. None of these fields in the routing table comprise “a descriptor that enables the at least one node to identify an attribute of the content” as disclosed and claimed by Applicants.

As disclosed in Applicants’ specification, a descriptor is something that identifies and describes the associated content. See, e.g., Spec. pp. 11-13. In contrast, Gourlay discloses a routing table that includes fields that do not identify and describe the associated content but, rather, the location, revision, timestamp, or other routing related properties of the content that are not related to a description of what the content contains.

In addition, the cited portion of Gourlay does not disclose the claimed features of “the step of launching a request further comprises launching the request with a request payload containing one or more instructions on what to locate in the descriptor.” In contrast, Gourlay discloses a request including a URL that is examined to determine where the content is stored not what to locate. See col. 4, lines 22-49.

Finally, Applicants respectfully submit that one of ordinary skill in the art at the time the invention was made would not have been motivated to combine the disclosures of Hatakeyama and Gourlay. Hatakeyama is directed to “selecting an optimum path in a network.” Col. 1, lines 8-11. On the other hand, Gourlay is related to content routing service protocol to provide distributed Layer 7 switching in a computer network. Col. 1, lines 6-10. Applicants respectfully submit that one of ordinary skill in the art of path optimization would not look to a disclosure related to content routing protocol to find path optimization solutions. For at least the above reasons, Applicants respectfully

submit that the rejections of claims 1, 2, 4-7 and 9-13 are improper and request that they be withdrawn.

REJECTIONS OF CLAIMS 14-19 and 21 UNDER 35 U.S.C. § 103(a)

Claims 14-19 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hatakeyama and Gourlay in view of Chen. Claims 14-19 and 21 contain the same features discussed above in connection with claims 1, 2, 4-7 and 9-13 and, therefore, the same arguments regarding the deficiencies of Hatakeyama and Gourlay apply. Chen is relied upon to allegedly disclose "a system for propagating of routing update messages to neighboring nodes." Office Action, p. 11. Therefore, Chen fails to repair the deficiencies of Hatakeyama and Gourlay with respect to the above described claim features. Applicants respectfully submit that the rejections of claims 14-19 and 21 are improper for at least these reasons and respectfully request that the rejections be withdrawn.

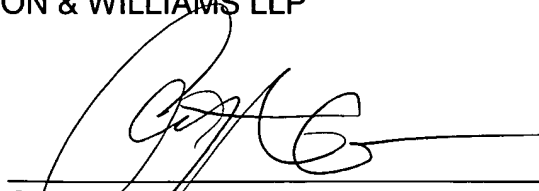
No fee is believed necessary in connection with the filing of this Response. However, if it is determined otherwise, the Commissioner is hereby authorized to charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

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